

PROCEEDINGS OF THE CITY-PARISH COUNCIL MEETING OF THE CITY-PARISH OF LAFAYETTE, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING OF NOVEMBER 2, 2004.

ATTENDANCE

COUNCIL: Randy Menard – Chair (District 9), Bobby Badeaux (District 1), Dale Bourgeois (District 2), Christopher J. Williams, Ph.D. (District 3), Louis C. Benjamin, Jr. (District 4), Lenwood Broussard (District 5), Bruce Conque (District 6), Marc Mouton (District 7), Rob Stevenson (District 8)

ABSENT: None

COUNCIL STAFF: Norma Dugas (Clerk of the Council) and Veronica Williams (Assistant Clerk)

ADMINISTRATIVE STAFF: L. J. Durel, Jr. (City-Parish President), Dee Stanley (Chief Administrative Officer), Becky Lalumia (Associate CAO/Finance & Management Director), Pat Ottinger (City-Parish Attorney), Michael Hebert (Assistant City-Parish Attorney), Sona Dombourian (Interim Library Director), Gail Smith (Director of Administrative Services), Chief Robert Benoit (Fire Department), Terry Huval (Utilities Director), Tom Carroll (Public Works Director), Tony Tramel (Director of Transportation), Gerald Boudreaux (Director of Parks & Recreation), Eleanor Bouy (Planning, Zoning & Codes Director)

COMMENCEMENT

AGENDA ITEM NO. 1: Call to order.

Chair Randy Menard called the Regular Council Meeting of November 2, 2004 to order.

AGENDA ITEM NO. 2: Invocation and Pledge of Allegiance.

Councilman Mouton lead the prayer and Pledge of Allegiance.

AGENDA ITEM NO. 3: EXECUTIVE/PRESIDENT'S REPORT

- President Durel read a proclamation declaring November 2004 as Kiwanis Family Month. Lafayette will be hosting the 2005 Annual Convention on August 4th through 7th for the Louisiana, Mississippi, West Tennessee Kiwanis District, bringing over 400 delegates and families to the Acadiana area. Fire Chief Robert Benoit thanked Durel and Council Members for their support.
- President Durel then recognized Cynthia Trahan, Executive Director of Vermilionville and Eddie Cazayoux, President of the Vermilionville Living History Museum Foundation Board, Inc. Trahan and Cazayoux thanked LCG for external agency funding support for 2003/04, invited Durel and Council Members to take a boat tour of the river, and finally, reviewed on-going projects/activities of Vermilionville.

AGENDA ITEM NO. 4: ANNOUNCEMENTS

- Chair Menard encouraged those who had not voted to go to the polls and vote.
- Chair Menard announced that there would be a Joint Public Hearing of the Council and LPUA on Nov. 9, 2004 at 5:30 p.m. to hear Public Comment on the Fiber-to-the Home issue.

RESOLUTIONS

AGENDA ITEM NO. 5: R-072-2004 A resolution of the Lafayette City-Parish Council approving the sale, issuance and delivery of \$1,010,000 of Water Revenue Refunding Bonds, Series 2004, of Lafayette Parish Waterworks District South, Lafayette Parish, Louisiana, motion to adopt by Broussard, seconded by Stevenson, and the vote was as follows:
YEAS: Badeaux, Bourgeois, Williams, Broussard, Conque, Mouton, Stevenson, Menard
NAYS: None

ABSENT: Benjamin
ABSTAIN: None
Motion was approved.

AGENDA ITEM NO. 6: R-073-2004 A resolution of the Lafayette City-Parish Council certifying that Lafayette Parish has complied with the requirements of the State of Louisiana Off-System Bridge Replacement program, motion to adopt by Bourgeois, seconded by Stevenson, and the vote was as follows:
YEAS: Badeaux, Bourgeois, Williams, Broussard, Conque, Mouton, Stevenson, Menard
NAYS: None
ABSENT: Benjamin
ABSTAIN: None
Motion was approved.

AGENDA ITEM NO. 7: R-074-2004 A resolution of the Lafayette City-Parish Council approving the submittal of an application for grant funds from the Louisiana Governor's Office of Community Programs, Recreational Trails Grants Section to improve the accessibility of the Nature Station Wetlands area, motion to adopt by Stevenson, seconded by Conque, and the vote was as follows:
YEAS: Badeaux, Bourgeois, Williams, Broussard, Conque, Mouton, Stevenson, Menard
NAYS: None
ABSENT: Benjamin
ABSTAIN: None
Motion was approved.

Bourgeois asked what would be added to the Nature Station and Joe Bourg, Governmental & Business Relations Manager for Community Development, responded that the proposal is to extend the elevated walkway at the Nature Station.

ORDINANCES FOR FINAL ADOPTION

AGENDA ITEM NO. 8: O-253-2004 An ordinance of the Lafayette City-Parish Council approving an administrative reorganization changing the Information Services Division to the Department of Information Services and Technology under an unclassified director reporting to the Chief Administrative Officer and approving consequent funding changes in personnel authorizations, motion to adopt by Conque, seconded by Bourgeois, and the vote was as follows:
YEAS: Badeaux, Bourgeois, Williams, Broussard, Conque, Mouton, Menard
NAYS: Stevenson
ABSENT: Benjamin
ABSTAIN: None
Motion was approved.

Chair Menard requested an overview of the reorganization and CAO Dee Stanley responded that this was the follow up ordinance providing for the creation of the Department of Information Services and Technology, including the organizational chart and structure. The funding for the reorganization was approved and placed in Reserve during 2004/05 Budget Hearings. Bourgeois asked if the Software Services Manager was a new position and Gail Smith, Administrative Services Director, responded negatively and added that this was a reclassification of an existing position. Smith explained that the two new positions would be the Chief Information Officer and the Director's Executive Secretary.

AGENDA ITEM NO. 9: O-254-2004 An ordinance of the Lafayette City-Parish Council providing for the acceptance for perpetual maintenance of approximately 1450 feet of a private road known as Arista Road located off of Gendarme Road, motion to adopt by Benjamin, seconded by Bourgeois, and the vote was as follows:
YEAS: Badeaux, Bourgeois, Williams, Broussard, Conque, Mouton, Stevenson, Menard
NAYS: None
ABSENT: Benjamin
ABSTAIN: None
Motion was approved.

AGENDA ITEM NO. 10: O-255-2004 An ordinance of the Lafayette City-Parish Council amending the FY 04/05 operating budget of the Lafayette City-Parish Consolidated Government by recognizing revenue in the amount of \$30,000 from the Louisiana Department of Public Safety

and Corrections and appropriating within the Traffic and Transportation Department, and to authorize the Lafayette City-Parish President to execute a contract to initiate a regional safe community program, motion to adopt by Williams, seconded by Stevenson, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Broussard, Conque, Mouton, Stevenson, Menard

NAYS: None

ABSENT: Benjamin

ABSTAIN: None

Motion was approved.

Williams asked for a brief overview on the ordinance and Kirk Trahan, Planner in Traffic & Transportation, responded that this would provide educational and public safety awareness programs in an effort to reduce the fatality rate on Louisiana streets, reduce the percentage of impaired driving traffic fatalities as well as increase safety belt usage. Williams asked how these funds would be used and Trahan responded that the grant funds would be used towards staff time. Inasmuch as the staff was already funded in LCG's General Fund budget, Williams asked if the grant funds could go towards contractual services and commodities for additional public safety awareness programs. Trahan stated that the salary aspect would provide services for a multi-jurisdictional area and, in order to reach these areas, staff time would be required. Williams then asked how the unused staff funding would be used and Lalumia responded that it would be shown as unspent funds in the General Fund.

AGENDA ITEM NO. 11: O-256-2004 An ordinance of the Lafayette City-Parish Council establishing golf fees at the Wetlands Golf Course and amending Ordinance No. O-422-97 by increasing fees at Les Vieux Chenes and Jay & Lionel Hebert Golf Courses, the tennis facilities, and Acadiana Park Campground, motion to adopt by Broussard, seconded by Bourgeois, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Conque, Mouton, Stevenson, Menard

NAYS: None

ABSENT: None

ABSTAIN: None

Motion was unanimously approved.

Stevenson noted that a secondary fee increase was proposed for the existing courses in 2006 and not the Wetlands and Gerald Boudreaux responded that the new course was not scheduled to open until the Summer of 2005. Given that the course would just be opening, the department would evaluate the first year and make a recommendation during budget hearings on a fee increase. Stevenson asked if the increases for the 3-course pass would be the same price for all courses and Boudreaux responded affirmatively. Williams asked for an overview of the proposed fees and Boudreaux responded that the initial regular green fee would increase by \$4.00, the Wetlands regular green fee would be set at \$25.00, the tennis play fee would increase by \$1.00 at Bowles and Thomas Tennis Centers and there would be a \$2.00 per night fee increase for campers staying at the Acadiana Park Campground.

Williams asked for an update on the utility wires hanging over the course and Boudreaux responded that he received correspondence from the City-Parish Attorney regarding same and was still reviewing the issue. Williams requested an update at a future meeting and Boudreaux stated that he was preparing a written response. Broussard asked for an overview on LCG's fee as compared to other courses around the State and Boudreaux stated that LCG had the lowest fees in the State when compared to similar sized courses and the fee increase would still place LCG among the lowest. Boudreaux then thanked the staff, golf groups and organizations for their support of the fee proposal. He recognized those Commission members in attendance.

Boudreaux added that there had not been an increase since 1998 and the fee increases were needed to support the programs. On another note, Boudreaux mentioned that the design phase for the \$450,000 Irrigation project at Vieux Chenes was awarded and stated that the project is moving forward. Mouton asked for an update on scheduling tee-times on-line and Boudreaux responded that they were still evaluating the program.

The following citizens addressed the Council with reference to this ordinance:

- Lewis Kellogg spoke in opposition to the fee increase. He stated that he did not see increases for the T-ball, Softball and Soccer Programs and the fee increase should be for all programs.
- Richard Poche spoke in favor of the fee proposal.

- Teddy Roberson stated that he supported the fee proposal, which was comparable to other similar sized courses. The golf course fees are the lowest in the South.

AGENDA ITEM NO. 12: O-257-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government by authorizing the transfer of \$36,000.00 of Workforce Investment Act (WIA) Title I-B Adult Funds to the Workforce Investment Act (WIA) Title I-B Dislocated Worker Funds and appropriating same within the Workforce Development Division budget, Department of Community Development, motion to adopt by Mouton, seconded by Stevenson, and the vote was as follows:
YEAS: Badeaux, Bourgeois, Benjamin, Broussard, Conque, Mouton, Stevenson, Menard
NAYS: None
ABSENT: Williams
ABSTAIN: None
Motion was approved.

ANNOUNCEMENT OF VACANCY ON BOARDS/COMMISSIONS

AGENDA ITEM NO. 13: Due to a term expiration, a vacancy will exist on the Lafayette Preservation Commission for a four year term effective November 19, 2004.

Individuals wishing to volunteer for the above vacancy must be a registered voter and reside outside of the corporate limits of the City of Lafayette. Resumes are to be forwarded to Norma A. Dugas, Clerk of the Council, P.O. Box 4017-C, Lafayette, LA 70502 no later than noon, Monday, November 15 with Council appointment to be made on November 16, 2004.

AGENDA ITEM NO. 14: Due to a term expiration, a vacancy will exist on the Heymann Performing Arts & Convention Center Commission for a four year term effective November 22, 2004. This is a minority appointment.

Individuals wishing to volunteer for the above vacancy must be a registered voter and resident of Lafayette Parish. Resumes are to be forwarded to Norma A. Dugas, Clerk of the Council, P.O. Box 4017-C, Lafayette, LA 70502 no later than noon, Monday, November 15 with Council appointment to be made on November 16, 2004.

CONSIDER APPOINTMENTS BY THE COUNCIL, AS A WHOLE, TO FOLLOWING BOARDS/COMMISSIONS

AGENDA ITEM NO. 15: Appointment of Elizabeth Knight to the Taxicab Control Board for a four year term effective June 18, 2004.

Chair Menard announced that two resumes were received, those being, Gilford Henandez and Elizabeth Knight.

Councilmember Stevenson nominated Knight. There being no further nominations, the Chair called for a vote, and the vote was as follows:
YEAS: Badeaux, Bourgeois, Benjamin, Broussard, Conque, Mouton, Stevenson, Menard
NAYS: None
ABSENT: Williams
ABSTAIN: None
Motion was approved.
Ms. Elizabeth Knight was appointed to the Taxicab Control Board.

AGENDA ITEM NO. 16: Appointment(s) by Council member(s) and/or City-Parish President and/or Area Mayors, and/or any other direct appointing authority.

<u>Appointing Authority</u>	<u>Appointee Name And Address</u>	<u>Board, Commission And/or Legal Agency</u>	<u>Term</u>	<u>Effective Date</u>
District 1	Preston Bernard 806-C Delhomme Ave. Scott, LA 70583	Lafayette Parish Water Works District North	4 years	11/15/2004

District 1	Todd Weber 101 Basile Road Scott, LA 70583	Lafayette City-Parish Recreation Advisory Commission	4 years	11/7/2004
District 2	Lennus Boudreaux 101 St. Pierre Blvd. Carencro, LA 70520	Lafayette City-Parish Recreation Advisory Commission	4 years	10/15/2004
District 5	Margaret Bearb 3013 Riceland Rd. Rayne, LA 70578	Lafayette Parish Water- works District South	to fill an unexpired term till 9/16/05	11/02/2004
City-Parish President	Dr. Ronald Cheek P.O. Box 43570 Lafayette, LA 70504	Lafayette City-Parish President's Awareness Committee For Citizens With Disabilities	3 years	To be announced

INTRODUCTORY ORDINANCES

AGENDA ITEM NO. 17 - 26: A motion was offered by Broussard, seconded by Stevenson, to approve for introduction the following ordinances, in-globo, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Benjamin, Broussard, Conque, Mouton, Stevenson, Menard

NAYS: None

ABSENT: Williams

ABSTAIN: None

Motion to introduce was approved.

17. **O-259-2004** An ordinance of the Lafayette City-Parish Council amending the Comprehensive Zoning Ordinance, so as to reclassify the property of Justin P. Duke, Case No. Z2004-025 Duke Transportation West Willow Street Property Rezoning, located generally south of West Willow Street, west of Staten Street, and east of LA Hwy. 182/North University Avenue, from R-1-C (Single and Two-Family Residential) to B-T (Transitional Business).
18. **O-260-2004** An ordinance of the Lafayette City-Parish Council amending the Comprehensive Zoning Ordinance so as to reclassify the property of Juanita Comeaux, et al, Case No. Z2004-026 Juanita Comeaux Ambassador Caffery Parkway Rezoning, located generally east of Ambassador Caffery Parkway, north of Dulles Drive, south of Avondale Drive, and west of San Carlos Circle, from R-4 (Condominium, Townhouse, and Zero Lot Line Homes) to B-T (Transitional Business).
19. **O-261-2004** An ordinance of the Lafayette City-Parish Council amending the Comprehensive Zoning Ordinance so as to reclassify Kingspointe Phases I & II, Case No. Z2004-027 Kingspointe Phases I and II Comprehensive Rezoning, located generally south of Feu Follet Road and Shamrock Drive and north of Verot School and South Beadle Roads, from B-2-I (Intermediate Business) to R-1-C (Single and Two-Family Residential).
20. **O-262-2004** An ordinance of the Lafayette City-Parish Council adopting the “Feasibility Study Report – Fiber to the Home for Lafayette, LA” (Feasibility Study Report) prepared and presented by CCG Consulting, Inc. for the provision of “Covered Services” (telecommunications services, cable television services, and/or advanced services) by the Lafayette City-Parish Consolidated Government and/or the Utilities Department of the Lafayette City-Parish Consolidated Government, in accordance with the “Local Government Fair Competition Act,” LA R.S. 45:844.40 through 844.54.
21. **O-263-2004** An ordinance of the Lafayette City-Parish Council effecting an administrative reorganization of the Utilities Department by creating a Division of Communication Services, and assigning duties, powers and responsibilities thereto.
22. **O-264-2004** An ordinance of the Lafayette City-Parish Council providing for millage rate adjustments and roll forward of millage rates not to exceed the prior year’s maximum for tax year 2004 as allowed by Article VII, Section 23(c) of the Louisiana Constitution of 1974 and LA. R.S. 47:1705, in the City of Lafayette and the Parish of Lafayette, State of Louisiana.

23. O-265-2004 An ordinance of the Lafayette City-Parish Council amending the Lafayette City-Parish Consolidated Government Code of Ordinances, Chapter 62, Article I, “Crimes and Offenses in City of Lafayette,” Section 62-89 “Curfew Hours for Minors” and Article II, “Crimes and Offenses in Unincorporated Areas,” Section 62-111 “Curfew Hours for Minors”.
24. O-266-2004 An ordinance of the Lafayette City-Parish Council approving the appointment of Kean, Miller, Hawthorne, D’Armond, McGowan & Jarman as special counsel, and authorizing the execution of a Contract with Special Counsel.
25. O-267-2004 An ordinance of the Lafayette City-Parish Council providing for the abandonment of a portion of a utility easement on Lot 119 of Fairway Village Subdivision, having a municipal address of 100 Pebble Beach Drive.
26. O-268-2004 An ordinance of the Lafayette City-Parish Council declaring the building or structure located at municipal address 703 Madeline Avenue, Lafayette, Louisiana, owned by Alice Pates Melancon and Mary Ann Viltz, c/o Gerald J. Block, Attorney Appointed, to be dilapidated and dangerous to the public welfare and ordering the condemnation of same.

Conque noted that the word “unincorporated” needed to be corrected in the title of Ordinance O-265-2004. Chair Menard announced that Agenda Items 17 thru 19 with reference to Zoning matters would be considered for final adoption on November 23; Agenda Item 22, O-264-2004, would be considered for final adoption during a Special Meeting on November 23 at 5:00 p.m.; Agenda Items 20 & 21, regarding Fiber-to-the-Home, would be considered for final adoption during a Joint Meeting of the Council and LPUA on November 16; and finally, Agenda Item 26, O-268-2004, would be considered for final adoption on December 7.

AGENDA ITEM NO. 27: Comments from the public concerning the above Introductory Ordinances.

There was no public comment on Introductory ordinances.

ADJOURN

There being no further business to come before the Lafayette City-Parish Council, Chair Menard declared the meeting adjourned.

NORMA A. DUGAS, CLERK
LAFAYETTE CITY-PARISH COUNCIL